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Walsh Fights Immunity for Ex-CIA Officer, Citing Harm to Probe

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Independent counsel Lawrence E. Walsh yesterday urged the House committee investigating the Iran-contra affair not to grant immunity to former CIA officer Thomas G. Clines and warned that his criminal inquiry is being increasingly crimped by such congressional actions.

Walsh's plea in a closed-door session persuaded the House committee to postpone a scheduled vote on Clines yesterday afternoon, but ranking members made clear they may yet find it necessary to compel him to testify.

The committee voted at the same time to grant immunity to Rear Adm. John M. Poindexter, President Reagan's former national security adviser, and two reportedly low-level witnesses whom the lawmakers refused to identify. The Poindexter vote was scheduled for this week under an agreement reached last month with Walsh, who did not object to immunity for the two other individuals.

At a news conference after the meeting, however, Walsh protested that it is becoming "almost impossible to insulate" himself and his special prosecutors from the immunized testimony beginning to unfold on Capitol Hill and, to some extent, to leak out in news accounts.

Five witnesses, beginning with Iranian-American businessman Albert Hakim, have been directed by a federal court to testify before the House and Senate select investigating committees over Walsh's objections. Once they start talking under those grants of immunity, even in preliminary sessions with congressional investigators, no information derived from what they say may be used against them.

Walsh said he objected to immunity for Clines because he "appears to be a principal in the activities under investigation" and because other witnesses should be able to supply the same information the committee expects to get from Clines.

Walsh declined to elaborate, but Clines, a former Central Intelligence Agency officer who worked in Miami, Laos and Washington, reportedly did secret work in 1984 and 1985 as a consultant for the National Security Council. U.S. sources have also alleged that Clines helped Lt. Col. Oliver L. North of the NSC staff obtain a freighter that was used by North's network for various tasks, including the shipment of arms for the Nicaraguan contras and an aborted mission to pick up American hostages in the Middle East.

[Washington Post correspondent Glenn Frankel reported from Jerusalem that Israeli leaders yesterday approved a report on their government's role in the Iran arms affair. The report, to be sent to investigators here, reportedly includes an accounting of the 1985 phase when Israeli officials and arms merchants were middlemen in the arms-for-hostages campaign.

[Israeli officials have insisted that the money involved in this phase did not exceed \$7 million and that it has all been accounted for, but Frankel reported that this appears to contradict a statement by Reagan's special review board that Israel overcharged Iran by \$3 million for the arms it delivered—money the board said it could not trace. Israeli officials say their report shows that the money went for legitimate expenses and commissions to Iranian middlemen.]

Clines, a principal figure in a 1980s scandal involving the transport of U.S. weapons to Egypt, is a longtime associate of retired Air Force major general Richard V. Secord and is believed to have worked on Iran-contra matters with Secord and the general's business partner, Hakim.

Walsh said the immunity situation poses such difficulties for him to the point that "if I see the word 'Hakim,' I stop reading the newspaper. If I hear 'Hakim' on TV, I turn it off." He said he is trying to preserve "the opportunity for prosecution" of such individuals by submitting evidence, updated weekly and sometimes more often, under seal in U.S. District Court here so he can show that it was obtained independently of their congressional testimony.

Despite that, Walsh said some court decisions suggest that not even "prosecution strategy" can be based on immunized testimony. As a result, he said, he is seriously considering splitting his staff into "two groups," with one under strict instructions to remain untainted, reading no news articles and listening to no broadcasts about the investigations.

"It's a very difficult procedure that we have to go through in an effort to have these prosecutions—or the opportunity for prosecutions—survive," Walsh said.

Reps. Lee H. Hamilton (D-Ind.), the House committee chairman, and Dick Cheney (R-Wyo.), the ranking GOP member, said at a later news conference that they did not want to impede Walsh's investigation. Hamilton said they were giving "very heavy weight and due weight to his request."

Hamilton added, however, that the committee had its own responsibilities and indicated that it would reconsider immunity

for Clines later. He and Cheney also said there are others, "not a great number," who are likely to be given immunity in the weeks ahead.

"We do it as little as possible," Cheney said. "We don't grant it willy-nilly."

Staff writer Dan Morgan and staff researcher Michelle Hall contributed to this report.

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